<u>REMARKS</u>

In response to the Office action of March 7, 2006, applicant asks that all claims be allowed in view of the above amendments to the claims and the following remarks. This amendment is being filed concurrently with a Request for Continued Examination.

Claims 1-10, 12, 15-40, and 42-57 are pending, with claims 1, 21, 28, and 52 being independent. Claims 1, 21, and 28 have been amended. The amendment to the claims finds support in the specification at least at page 6, line 24 to page 7, line 19, page 12, lines 6-28, table 2 at pages 16-17, tables 3-6 at pages 19-27 and Fig. 1. No new matter has been introduced.

Rejection of Claims 1-10, 12, 15-33 and 42-51 under 35 U.S.C. § 103(a)

Claims 1-10, 12, 15-33, and 42-51 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Brooks (U.S. Patent Pub. No. 2004/0113912 A1) in view of Fushimi (U.S. Patent Pub. No. 2004/0070624) and Ito (U.S. Patent No. 6,923,653 B2). Applicant requests reconsideration and withdrawal of this rejection because none of Brooks, Fushimi, Ito or any proper combination of the references describe or suggest the subject matter of independent claims 1, 21 and 28, as described more fully below.

Independent claims 1 and 21 recite, *inter alia*, obtaining data corresponding to one or more data dimensions from a data source. Data corresponding to a first data dimension is associated with a first range of values and data corresponding to a second data dimension is associated with a second range of values. The first and second ranges of values are unrelated.

Brooks describes plotting multiple related process variables on a graph relative to a range of values determined for each variable based on current values of other variables. See Brooks at abstract, page 5, paragraph 0063, and Fig. 9. The variables of Brooks are variables that relate to a single process. See Brooks at page 1, paragraph 0014. Each time the process is performed, a different set of values for the variables are accumulated and stored in a historical record. See Brooks at pages 1-2, paragraph 0017. The historical record of Brooks is used as the basis for selecting a range of values for each individual variable that is appropriate to achieve a particular outcome. See Brooks at pages 1-2, paragraph 0017. More particularly, Brooks determines a best

operating zone (BOZ) for each variable as a range of values that each variable can have based on the current values of each other variable. See Brooks at page 2, paragraph 0023 and page 1, paragraphs 0001 and 0002 (noting "defining for each process variable a range due to the values of the other process variables" in the single process). In this way, each time the process is performed, Brooks discloses that the range of values that a particular variable can have is re-calculated. See Brooks at page 2, paragraph 0028. Brooks discloses that a wide variance in the variable values stored in the historical record provides a more accurate determination of new ranges for each variable after each performance of the process. See Brooks at page 2, paragraph 0021.

As such, Brooks describes variables that are related to one another because the variables are part of a single process. Brooks also describes a range of values for one variable of the process being based on the changing values of other variables in the process. Thus, Brooks does not describe or suggest data corresponding to a first data dimension being associated with a first range of values and data corresponding to a second data dimension being associated with a second range of values, where the first and second ranges of values are unrelated, as recited in independent claims 1 and 21.

The Office action relies on Fushimi for a graphical user interface. See Office action of March 7, 2006 at page 3. Fushimi describes displaying data within a radar chart based on a relationship between an axial label and an arranged keyword. See Fushimi at abstract. Fushimi also describes a reference value being assigned to an axial label and positioned on each of a plurality of axes within the radar chart. See Fushimi at abstract. The arranged keyword is displayed at a location close to the reference point if there is a high degree of association between the arranged keyword and the axial label. See Fushimi at abstract. In contrast, the arranged keyword is displayed at a location farther away from the reference point if there is a low degree of association between the axial label and the arranged keyword. See Fushimi at abstract.

As such, Fushimi does not describe or suggest data corresponding to a first data dimension being associated with a first range of values and data corresponding to a second data dimension being associated with a second range of values, where the first and second ranges of

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values are unrelated, as recited in independent claims 1 and 21. Nor does the Office action contend that it does.

The Office action relies on Ito for a reference value that is an average value of measured data corresponding to a data dimension and an exception that represents a positive or negative deviation from the reference value. See Office action of March 7, 2006 at page 3. Ito describes graphically displaying factors that contribute to enhancing a person's will to achieve results in a sales environment based on the person's response to questions. See Ito at abstract. The questions are related to nineteen factors (e.g., good human relations, cooperativeness and compliments from others). See Ito at col. 8, lines 49-63. In response to each question, a person can indicate how she feels about the question (and thus, the related factor) by indicating a numeral between 1 and 5. See Ito at col. 9, lines 10-19. Ito also describes generating a radar chart to graphically show factors associated with a particular person (based on the person's responses to the questions) in relation to a mean value for each of the factors. See Ito at col. 15, lines 7-11 and Figs. 20-26.

As such, Ito describes a radar chart that graphically displays multiple factors, each of which has a value in a range of 1 to 5, and all of which are related to a particular person. Thus, Ito does not describe or suggest data corresponding to a first data dimension being associated with a first range of values and data corresponding to a second data dimension being associated with a second range of values, where the first and second ranges of values are unrelated, as recited in independent claims 1 and 21.

Accordingly, none of Brooks, Fushimi, Ito or any proper combination of the references describe or suggest data corresponding to a first data dimension being associated with a first range of values and data corresponding to a second data dimension being associated with a second range of values, where the first and second ranges of values are unrelated, as recited in independent claims 1, 21 and 28. For at least these reasons, applicant respectfully requests reconsideration and withdrawal of the rejection of independent claims 1 and 21 and their dependent claims 2-10, 12, 15-20, 22-27, 49 and 50.

Independent claim 28 recites a graphical user interface that enables perception of information regarding one or more data dimensions. Data corresponding to a first data dimension is associated with a first range of values and data corresponding to a second data

dimension is associated with a second range of values. The first and second ranges of values are unrelated.

Accordingly, for at least the reasons described above with respect to independent claims 1 and 21, applicant requests reconsideration and withdrawal of the rejection of independent claim 28 and its dependent claims 29-33, 42-48 and 51.

Rejection of Claims 34-40 under 35 U.S.C. § 103(a)

Claims 34-40, each of which depend from independent claim 28, have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks in view of Fushimi, Ito and Slotznick (U.S. Patent No. 6,011,537). The Office action relies on Slotznick for teaching pop-up windows, overlaying a representation with another representation, closing a displayed representation based on expiration of a predetermined length of time, and inferring an intent to close a displayed representation. See Office action of March 7, 2006 at pages 8-9. However, Slotznick does not remedy the failure of Brooks, Fushimi, Ito or any proper combination of the references to describe or suggest the subject matter of independent claim 28. Nor does the Office action contend that Slotznick does so. For at least these reasons, and the dependency on independent claim 28, applicant respectfully requests reconsideration and withdrawal of the rejection of claims 34-40.

Rejection of Claims 52-57 under 35 U.S.C. § 103(a)

Claims 52-57 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Brooks in view of Fushimi, Ito and Subasic (U.S. Patent No. 6,721,734 B1). Applicant requests reconsideration and withdrawal of this rejection because none of Brooks, Fushimi, Ito, Subasic or any proper combination of the references describe or suggest the subject matter of independent claim 52.

Independent claim 52 recites a computer program product for generating a smart radar chart graphical user interface. The computer program product includes instructions that, when executed by one or more processors, cause the one or more processors to, *inter alia*, obtain data corresponding to one or more data dimensions from a data source. Data corresponding to a data dimension is displayed at a position indicating a value of the data in relation to a reference value

for the data dimension to enable identification of an exception. The reference value for the data dimension is normalized across reference values for other displayed data dimensions.

The Office action recognizes that none of Brooks, Fushimi or Ito describe or suggest a reference value for a data dimension being normalized across reference values for other data dimensions. See Office action of March 7, 2006 at page 9. The Office action therefore relies on Subasic for this feature. However, Subasic does not describe or suggest this feature.

Rather, Subasic describes using fuzzy logic to process textual information to determine an emotion with which a word is associated. See Subasic at col. 2, lines 12. Subasic discloses that a single word belongs to multiple emotional categories, and determines a degree of relatedness between the word and each of the various categories to which it belongs (referred to as a centrality). See Subasic at col. 2, lines 12-16. Subasic describes using a graphical representation of the centralities of words with respect to each of multiple categories, as a tool for decision making. See Subasic at col. 2, lines 37-38 and Fig. 5. The value of a centrality is within a range from 0 to 1. See Subasic at col. 4, lines 30 and 55-56 and col. 12, lines 54-55. Therefore, the graphical representation of Subasic illustrates centralities for five emotional categories having values between a minimum value of 0 and a maximum value of 1. See Subasic at Fig. 5.

As such, Subasic describes a graphical representation of categories and associated centralities, where the value of a centrality is in the range of 0 to 1. Because the value of a particular centrality is within a range of 0 to 1 as a function of being a centrality (and prior to being graphically displayed by Subasic), Subasic necessarily does not normalize the centrality values to be within that range, as the rejection contends. See Office action of March 7, 2006 at page 9 (noting "Subasic discloses a method of display data using radar chart in which reference values are normalized (Figure 5 where the maximum is normalized to 1...)"). Thus, Subasic does not describe or suggest a reference value for a data dimension being normalized across reference values for other data dimensions, as recited in independent claim 52. Hence, Subasic does not remedy the failure of Brooks, Fushimi or Ito to describe or suggest this feature of independent claim 52.

Accordingly, none of Brooks, Fushimi, Ito, Subasic, or any proper combination of the references, describe or suggest a reference value for a data dimension being normalized across

reference values for other data dimensions, as recited in independent claim 52. For at least these reasons, applicant respectfully requests reconsideration and withdrawal of the rejection of independent claim 52 and its dependent claims 53-57.

Conclusion

It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

No fees are believed to be due at this time. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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